

REMARKS/ARGUMENTS

The above-captioned patent application has been carefully reviewed in light of the final Official Action to which this correspondence is written.

Claims 1-8 are pending. Each of the pending claims have been rejected in light of certain prior art, namely Kitamura (U.S. Patent No. 6,465,086) under 35 USC §103(a). Applicants' respectfully traverse this rejection in light of the following comments.

As noted in previous correspondence and in order to adequately maintain a *prima facie* obviousness rejection under the Statute, each and every essentially claimed limitation must be found in the applied prior art. Those limitations that are not found or suggested by the applied prior art must be notoriously well known in the field to one of sufficient skill.

As previously noted to the Examiner, the present invention relates to a paper that is intended to be printed by gravure or flexographic printing. The Examiner has previously stated that the invention was based on a coated paper and not what the coated paper was intended to be printed with.

Nevertheless and assuming this latter point to be correct, the composition of the paper does depend on the printing process. As previously explained, an ink jet recording material requires a paper having a topcoat containing pigment having a high specific surface as silica. As noted in Applicants' response dated November 6, 2001, see page 5, first paragraph, with regard to distinguishing Miyamoto, a reference that is manufactured by an ink jet process, it was noted and acknowledged that the inclusion of silica in a surface coat is essential in order to improve the absorption time of the ink. In the presently claimed invention, the presence of silica in the topcoat is specifically and categorically excluded because a gravure printing process is not in any way linked to a condition requiring absorption. Applicants herein argue that the Examiner cannot completely ignore a claim limitation, as clearly recited in Claim 1, in which the composition of the surface coat does not contain silica.

The cited Kitamura reference teaches an ink jet recording material having two coatings. There are two different embodiments disclosed. The first disclosed embodiment corresponds to col. 2, lines 22-31 of that specification. This paragraph refers to an ink jet recording material that is made of a support coated with two different layers. According to this paragraph, at least one of the layers contains some silica. Moreover, it appears to indicate that only the inner coat can contain some silica. A Japanese patent is referred to in this portion to JP 63-104878. A copy of the Abstract of this publication is attached hereto. As clearly shown in the attached Abstract and for this product, which is made by an ink-jet process, the surface coat thereof includes silica. ^{- DS} The preceding is clear evidence of the state of the art, that for an ink jet process that the surface coat MUST contain silica. Kitamura is no exception. _{- no proof as Kit}

The second teaching of Kitamura discloses an inkjet recording material containing a casting surface that is formed between an upper recording layer or between an under coating layer and the support - see col. 12, lines 1-5. The presently claimed invention includes no "casting surface". That is to say, the layers are applied or coated directly on the support.

In addition to the above points, it should be noted that the Examiner has apparently confused the term "gravure means" that corresponds to the method of coating used in Kitamura and the term "gravure printing" as generally known in the field. It must be clearly pointed out that though Kitamura may utilize gravure means, this patent does not in ANY way utilize gravure printing in its process. That is, only inkjet printing, as is disclosed therein. _{non facta}

In conclusion, the cited reference of Kitamura discloses an ink jet recording material that differs from that claimed in the present invention in that a) the topcoat always contains some silica, due to the necessity of absorbing the ink, b) in that a casting layer is not used in the present invention to attach a layer of coating. As a result, this prior art fails to include essential limitations required by independent Claims 1 and 4. In fact, the very use of an ink jet printing process would teach against the use of gravure printing for the reasons cited above. Therefore, it is believed a prima facie obviousness rejection cannot be raised against these claims.

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Claims 2, 3 and 5-8 are believed allowable for the same reasons. Reconsideration is respectfully requested.

In summary, it is believed the above-captioned patent application is in a condition for allowance and such allowance is earnestly solicited.

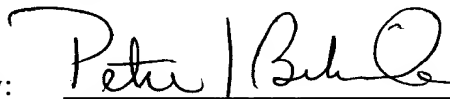
Should the Examiner wish to expedite disposition of this patent application, he is invited to contact Applicants' representative at the telephone number listed below.

Applicants' believe that no fees are due on account of the submission of this paper. However, if Applicant is incorrect and fees are due, the Director is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0289.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

By:

A handwritten signature in dark ink, appearing to read "Peter J. Bilinski", written over a horizontal line.

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RECORDING MATERIAL AND INK JET RECORDING METHOD USING THE SAME

No. Publication (Sec.): JP63104878
Date de publication : 1988-05-10
Inventeur : MOROHOSHI NAOYA; others: 01
Déposant : CANON INC
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Abrégé

PURPOSE: To record images with little disorder of dot shape, excellent color development properties and high developed color density, by recording on a recording material having at least two ink-receiving layers at least one of which comprises spherical silica and which are different in average diameter of particles contained therein, by using a recording liquid containing a water-soluble dye.

CONSTITUTION: An ink-receiving layer comprising an outermost layer 1 and a second layer 2 is provided on a base 3, the ink-receiving layer comprising particles 4 and particles 5. The diameter of the particles in the outermost layer is smaller than the diameter of the particles in the second layer. By selection of the diameter of the particles in the outermost layer, it is possible to obtain ink dots with an optimum diameter and to enhance the smoothness of the surface of the ink-receiving layer, thereby improving the strength of a coated layer at the surface. When synthetic spherical silica having an average particle diameter of secondary particles of 0.5-35 μm and an average diameter of pores in the secondary particles of 30-400 Angstrom is used as the particles in the outermost layer, developed color density is enhanced, and dot shape is improved.

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